

By: Ellis

S.B. No. 1032

A BILL TO BE ENTITLED

AN ACT

relating to the elimination of certain alternative fuels programs of this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The following laws are repealed:

- (1) Subchapter F, Chapter 382, Health and Safety Code;
- and
- (2) the following subchapters of the Transportation Code:

- (A) Subchapter G, Chapter 451;
- (B) Subchapter F, Chapter 452;
- (C) Subchapter F, Chapter 453; and
- (D) Subchapter E, Chapter 457.

SECTION 2. Section 113.287(e), Natural Resources Code, is amended to read as follows:

(e) A state agency, county, municipality, school district, or mass transit authority or department is eligible to receive a loan, grant, or other disbursement under this subchapter to carry out an eligible conversion or infrastructure project regarding LPG or another environmentally beneficial fuel to comply with fuel requirements provided by or by rules adopted under:

(1) [~~Subchapter F, Chapter 382, Health and Safety Code,~~

~~(2)] Subchapter A, Chapter 2158, Government Code; or~~

1 (2) [~~(3)~~] Subchapter C, Chapter 2171, Government
2 Code[~~+~~

3 ~~[(4) Subchapter C, Chapter 451, Transportation Code,~~

4 ~~[(5) Subchapter F, Chapter 452, Transportation Code,~~

5 ~~or~~

6 ~~[(6) Subchapter F, Chapter 453, Transportation Code].~~

7 SECTION 3. Section 2158.001, Government Code, is amended to
8 read as follows:

9 Sec. 2158.001. DEFINITION. In this subchapter,
10 "conventional gasoline" means any gasoline that does not meet
11 specifications set by a certification under Section 211(k) of the
12 federal Clean Air Act (42 U.S.C. Section 7545(k)) [~~has the meaning~~
13 ~~assigned by Section 382.131, Health and Safety Code].~~

14 SECTION 4. Section 1232.104(a), Government Code, is amended
15 to read as follows:

16 (a) If the authority determines that a project is
17 financially viable and sufficient revenue is or will be available,
18 the authority may issue and sell obligations the proceeds of which
19 shall be used for the financing of:

20 (1) the conversion of state agency vehicles and other
21 sources of substantial energy output to an alternative fuel under
22 Subchapter A, Chapter 2158;

23 (2) the construction, acquisition, or maintenance by
24 the commission of fueling stations supplying alternative fuels or
25 equipment enhancing the use of engine-driven technology to support
26 state agency vehicles and other energy applications that use an
27 alternative fuel;

1 (3) the conversion of school district motor vehicles
2 and other sources of substantial energy output to an alternative
3 fuel;

4 (4) the construction, acquisition, or maintenance by a
5 school district of fueling stations supplying alternative fuels or
6 equipment enhancing the use of engine-driven technology to support
7 school district motor vehicles and other energy applications that
8 use an alternative fuel;

9 (5) the conversion of local mass transit authority or
10 department motor vehicles and other sources of substantial energy
11 output to an alternative fuel [~~under Chapters 451, 452, and 453,~~
12 ~~Transportation Code~~];

13 (6) the construction, acquisition, or maintenance of
14 fueling stations supplying alternative fuels or equipment
15 enhancing the use of engine-driven technology by a local mass
16 transit authority or department to support transit authority or
17 department vehicles and other energy applications that use an
18 alternative fuel;

19 (7) the conversion of motor vehicles and other sources
20 of substantial energy output of a local government [~~, as defined by~~
21 ~~Section 382.003, Health and Safety Code,~~] to an alternative fuel
22 [~~under Section 382.134, Health and Safety Code~~];

23 (8) the conversion of motor vehicles and other sources
24 of substantial energy output of a hospital district or authority, a
25 housing authority, or a district or authority created under Section
26 52, Article III, Texas Constitution, or Section 59, Article XVI,
27 Texas Constitution, to an alternative fuel;

1 (9) the construction, acquisition, or maintenance of
2 fueling stations supplying alternative fuels or equipment
3 enhancing the use of engine-driven technology to support motor
4 vehicles and other energy applications that use an alternative fuel
5 by a county, a municipality, or an entity described by Subdivision
6 (8); or

7 (10) a joint venture between the private sector and a
8 state agency or political subdivision that is required under law to
9 use an alternative fuel in the agency's or subdivision's vehicles or
10 other energy applications to:

11 (A) convert vehicles or other sources of
12 substantial energy output to an alternative fuel;

13 (B) develop fueling stations and resources for
14 the supply of alternative fuels and engine-driven applications;

15 (C) aid in the distribution of alternative fuels;
16 and

17 (D) engage in other projects to facilitate the
18 use of alternative fuels.

19 SECTION 5. This Act takes effect September 1, 2005.